

**UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT**

ELBERT PARR TUTTLE COURT OF APPEALS BUILDING  
56 Forsyth Street, N.W.  
Atlanta, Georgia 30303

David J. Smith  
Clerk of Court

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October 11, 2023

Alex King  
Monroe & King PA  
1805 COPELAND ST  
JACKSONVILLE, FL 32204

Appeal Number: 23-13062-D  
Case Style: USA v. Kristopher Ervin, et al  
District Court Docket No: 3:21-cr-00022-MMH-MCR-1

**DISMISSAL NOTICE**

Pursuant to 11th Cir. R. 42-1(b), **this appeal will be dismissed without further notice upon the expiration of 14 days from the date of this notice** unless:

1. The appellant files:
  - in this Court, in the district court, or both, as applicable, a completed [Transcript Order Form](#) (pursuant to 11th Cir. R. 10-1, the Transcript Order Form must be filed in both the circuit court and the district court, and you failed to file the Transcript Order Form in one or both courts);

**OR**

  - in this Court only, a certificate stating no transcript will be ordered (pursuant to FRAP 10(b)(1)(B), the certificate only needs to be filed in the circuit court).

**AND**
2. The appellant files in this Court only, a Motion to File Documents Out of Time (pursuant to 11th Cir. R. 42-1(b), you must also file this additional motion to avoid dismissal).

Note to Counsel: 11th Cir. R. 42-1(b) provides that "If an appellant is represented by appointed counsel, the clerk may refer the matter to the court for possible disciplinary action against counsel in lieu of dismissal." Eleventh Circuit IOP 1 to FRAP 26 provides that "Failure to

timely file required documents . . . may result in possible disciplinary action against counsel as described in Addendum Eight."

Clerk's Office Phone Numbers

General Information:	404-335-6100	Attorney Admissions:	404-335-6122
Case Administration:	404-335-6135	Capital Cases:	404-335-6200
CM/ECF Help Desk:	404-335-6125	Cases Set for Oral Argument:	404-335-6141

Enclosure(s)

DIS-1 Deficiency